

109TH CONGRESS  
1ST SESSION

# H. R. 2412

To provide more rigorous requirements with respect to ethics and lobbying.

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## IN THE HOUSE OF REPRESENTATIVES

MAY 17, 2005

Mr. MEEHAN (for himself, Mr. EMANUEL, Mr. BAIRD, Ms. BALDWIN, Mr. BERRY, Mr. BISHOP of New York, Mr. BLUMENAUER, Mr. BROWN of Ohio, Mr. BUTTERFIELD, Mrs. CAPPS, Mr. CASE, Mrs. CHRISTENSEN, Mr. CLEAVER, Mr. COOPER, Mr. COSTA, Mr. DAVIS of Illinois, Mr. DAVIS of Tennessee, Mr. DAVIS of Alabama, Mr. DEFazio, Ms. DELAURO, Mr. DOGGETT, Ms. ESHOO, Mr. FILNER, Mr. FORD, Mr. FRANK of Massachusetts, Mr. GENE GREEN of Texas, Mr. GRIJALVA, Mr. GUTIERREZ, Ms. HARMAN, Mr. HOLT, Mr. KILDEE, Mr. KIND, Mr. KUCINICH, Mr. LANGEVIN, Mr. LANTOS, Mr. LEWIS of Georgia, Ms. ZOE LOFGREN of California, Mrs. LOWEY, Mr. MARKEY, Ms. MATSUI, Mrs. MCCARTHY, Ms. MCCOLLUM of Minnesota, Mr. McDERMOTT, Mr. MCGOVERN, Mr. McNULTY, Mr. MENENDEZ, Mr. GEORGE MILLER of California, Mr. MOORE of Kansas, Mr. OLVER, Mr. OWENS, Mr. PALLONE, Ms. PELOSI, Mr. PRICE of North Carolina, Mr. ROSS, Mr. SANDERS, Ms. SCHAKOWSKY, Mr. SCOTT of Virginia, Mr. SHERMAN, Ms. SOLIS, Mr. STARK, Mrs. TAUSCHER, Mr. TAYLOR of Mississippi, Mr. THOMPSON of California, Mr. UDALL of New Mexico, Mr. VAN HOLLEN, Ms. WASSERMAN SCHULTZ, Ms. WATSON, Ms. WOOLSEY, and Mr. EVANS) introduced the following bill; which was referred to the Committee on the Judiciary, and in addition to the Committees on Standards of Official Conduct and Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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## A BILL

To provide more rigorous requirements with respect to ethics  
and lobbying.

1        *Be it enacted by the Senate and House of Representa-*  
 2        *tives of the United States of America in Congress assembled,*

3        **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

4        (a) SHORT TITLE.—This Act may be cited as the  
 5        “Special Interest Lobbying and Ethics Accountability Act  
 6        of 2005”.

7        (b) TABLE OF CONTENTS.—The table of contents for  
 8        this Act is as follows:

Sec. 1. Short title; table of contents.

TITLE I—ENHANCING LOBBYING DISCLOSURE

Sec. 101. Quarterly filing of lobbying disclosure reports.

Sec. 102. Electronic filing of lobbying disclosure reports.

Sec. 103. Public database of lobbying disclosure information.

Sec. 104. Identification of officials with whom lobbying contacts are made.

Sec. 105. Disclosure by registered lobbyists of all past executive and congressional employment.

Sec. 106. Disclosure of grassroots activities by paid lobbyists.

Sec. 107. Disclosure of lobbying activities by certain coalitions and associations.

TITLE II—SLOWING THE REVOLVING DOOR

Sec. 201. Extension from 1 to 2 years of ban on attempting to influence by senior executive personnel, former Members of Congress, and officers and employees of the legislative branch.

Sec. 202. Reform of waiver process for acts affecting a personal financial interest.

Sec. 203. Public disclosure by Members of Congress of employment negotiations.

Sec. 204. Wrongfully influencing, on a partisan basis, an entity’s employment decisions or practices.

Sec. 205. Amendment to Code of Official Conduct to prohibit favoritism.

TITLE III—CURBING EXCESSES IN PRIVATELY FUNDED TRAVEL

Sec. 301. Required certification that congressional travel meets certain conditions.

Sec. 302. False certification in connection with congressional travel.

Sec. 303. Increased disclosure of travel by Members.

Sec. 304. Guidelines respecting travel expenses.

TITLE IV—STRENGTHENING ENFORCEMENT AND OVERSIGHT OF ETHICS AND LOBBYING

Sec. 401. Comptroller General review and semiannual report on activities carried out by Clerk of the House and Secretary of the Senate under Lobbying Disclosure Act of 1995.

Sec. 402. Increased penalty for failure to comply with lobbying disclosure requirements.

Sec. 403. Hearings, recommendations, and report regarding activities of lobbyists.

Sec. 404. Ethics task force.

# 1 **TITLE I—ENHANCING LOBBYING** 2 **DISCLOSURE**

## 3 **SEC. 101. QUARTERLY FILING OF LOBBYING DISCLOSURE** 4 **REPORTS.**

5 (a) QUARTERLY FILING REQUIRED.—Section 5 of  
6 the Lobbying Disclosure Act of 1995 (2 U.S.C. 1604) is  
7 amended—

8 (1) in subsection (a)—

9 (A) by striking “Semiannual” and insert-  
10 ing “Quarterly”;

11 (B) by striking “the semiannual period”  
12 and all that follows through “July of each  
13 year” and insert “the quarterly period begin-  
14 ning on the first days of January, April, July,  
15 and October of each year”; and

16 (C) by striking “such semiannual period”  
17 and insert “such quarterly period”; and

18 (2) in subsection (b)—

19 (A) in the matter preceding paragraph (1),  
20 by striking “semiannual report” and inserting  
21 “quarterly report”;

(B) in paragraph (2), by striking “semi-annual filing period” and inserting “quarterly period”;

(C) in paragraph (3), by striking “semi-annual period” and inserting “quarterly period”; and

(D) in paragraph (4), by striking “semi-annual filing period” and inserting “quarterly period”.

(b) CONFORMING AMENDMENTS.—

(1) DEFINITION.—Section 3 of such Act (2 U.S.C. 1602) is amended in paragraph (10) by striking “six month period” and inserting “three-month period”.

(2) REGISTRATION.—Section 4 of such Act (2 U.S.C. 1603) is amended—

(A) in subsection (a)(3)(A) by striking “semiannual period” and inserting “quarterly period”; and

(B) in subsection (b)(3)(A) by striking “semiannual period” and inserting “quarterly period”.

(3) ENFORCEMENT.—Section 6 of such Act (2 U.S.C. 1605) is amended in paragraph (6) by strik-

ing “semiannual period” and inserting “quarterly period”.

(4) ESTIMATES.—Section 15 of such Act (2 U.S.C. 1610) is amended—

(A) in subsection (a)(1) by striking “semiannual period” and inserting “quarterly period”; and

(B) in subsection (b)(1) by striking “semiannual period” and inserting “quarterly period”.

(5) DOLLAR AMOUNTS.—

(A) Section 4 of such Act (2 U.S.C. 1603) is further amended—

(i) in subsection (a)(3)(A)(i), by striking “\$5,000” and inserting “\$2,500”;

(ii) in subsection (a)(3)(A)(ii), by striking “\$20,000” and inserting “\$10,000”;

(iii) in subsection (b)(3)(A), by striking “\$10,000” and inserting “\$5,000”; and

(iv) in subsection (b)(4), by striking “\$10,000” and inserting “\$5,000”.

(B) Section 5 of such Act (2 U.S.C. 1604) is further amended—

1 (i) in subsection (c)(1), by striking  
 2 “\$10,000” and “\$20,000” and inserting  
 3 “\$5,000” and “\$10,000”, respectively; and  
 4 (ii) in subsection (c)(2), by striking  
 5 “\$10,000” both places such term appears  
 6 and inserting “\$5,000”.

7 **SEC. 102. ELECTRONIC FILING OF LOBBYING DISCLOSURE**  
 8 **REPORTS.**

9 Section 5 of the Lobbying Disclosure Act of 1995 (2  
 10 U.S.C. 1604) is further amended by adding at the end  
 11 the following new subsection:

12 “(d) **ELECTRONIC FILING REQUIRED.**—A report re-  
 13 quired to be filed under this section shall be filed in elec-  
 14 tronic form, in addition to any other form that may be  
 15 required by the Secretary of the Senate or the Clerk of  
 16 the House of Representatives.”.

17 **SEC. 103. PUBLIC DATABASE OF LOBBYING DISCLOSURE IN-**  
 18 **FORMATION.**

19 (a) **DATABASE REQUIRED.**—Section 6 of the Lob-  
 20 bying Disclosure Act of 1995 (2 U.S.C. 1605) is further  
 21 amended—

22 (1) in paragraph (7) by striking “and” at the  
 23 end;  
 24 (2) in paragraph (8) by striking the period at  
 25 the end and inserting “; and”; and

1           (3) by adding at the end the following new  
2 paragraph:

3           “(9) maintain, and make available to the public  
4 over the Internet, without a fee or other access  
5 charge, in a searchable, sortable, and downloadable  
6 manner, an electronic database that—

7           “(A) includes the information contained in  
8 registrations and reports filed under this Act;

9           “(B) directly links the information it con-  
10 tains to the information disclosed in reports  
11 filed with the Federal Election Commission  
12 under section 304 of the Federal Election Cam-  
13 paign Act of 1971 (2 U.S.C. 434); and

14           “(C) is searchable and sortable to the max-  
15 imum extent practicable, including searchable  
16 and sortable by each of the categories of infor-  
17 mation described in section 4(b) or 5(b).”.

18       (b) AVAILABILITY OF REPORTS.—Section 6 of such  
19 Act is further amended in paragraph (4) by inserting be-  
20 fore the semicolon at the end the following: “and, in the  
21 case of a report filed in electronic form pursuant to section  
22 5(d), shall make such report available for public inspection  
23 over the Internet not more than 48 hours after the report  
24 is so filed”.

1 (c) AUTHORIZATION OF APPROPRIATIONS.—There  
 2 are authorized to be appropriated such sums as may be  
 3 necessary to carry out paragraph (9) of section 6 of such  
 4 Act, as added by subsection (a).

5 **SEC. 104. IDENTIFICATION OF OFFICIALS WITH WHOM LOB-**  
 6 **BYING CONTACTS ARE MADE.**

7 Section 5 of the Lobbying Disclosure Act of 1995 (2  
 8 U.S.C. 1604) is further amended in subsection (b)(2)—

9 (1) by redesignating subparagraphs (B)  
 10 through (D) as subparagraphs (C) through (E), re-  
 11 spectively; and

12 (2) by inserting after subparagraph (A) the fol-  
 13 lowing new subparagraph:

14 “(B) for each specific issue listed pursuant  
 15 to subparagraph (A), a list identifying each cov-  
 16 ered executive branch official and each Member  
 17 of Congress with whom a lobbyist employed by  
 18 the registrant engaged in a lobbying contact  
 19 with respect to that issue;”.

20 **SEC. 105. DISCLOSURE BY REGISTERED LOBBYISTS OF ALL**  
 21 **PAST EXECUTIVE AND CONGRESSIONAL EM-**  
 22 **PLOYMENT.**

23 Section 4 of the Lobbying Disclosure Act of 1995 (2  
 24 U.S.C. 1603) is further amended in subsection (b)(6) by  
 25 striking “or a covered legislative branch official” and all



1 that follows through “as a lobbyist on behalf of the client,”  
2 and inserting “or a covered legislative branch official,”.

3 **SEC. 106. DISCLOSURE OF GRASSROOTS ACTIVITIES BY**  
4 **PAID LOBBYISTS.**

5 (a) DISCLOSURE OF GRASSROOTS ACTIVITIES.—Sec-  
6 tion 3 of the Lobbying Disclosure Act of 1995 (2 U.S.C.  
7 1602) is further amended by adding at the end the fol-  
8 lowing new paragraph:

9 “(17) GRASSROOTS LOBBYING COMMUNICA-  
10 TION.—The term ‘grassroots lobbying communica-  
11 tion’ means an attempt to influence legislation or ex-  
12 ecutive action through the use of mass communica-  
13 tions directed to the general public and designed to  
14 encourage recipients to take specific action with re-  
15 spect to legislation or executive action, except that  
16 such term does not include any communications by  
17 an entity directed to its members, employees, offi-  
18 cers, or shareholders. For purposes of this para-  
19 graph, a communication is designed to encourage a  
20 recipient if any of the following applies:

21 “(A) The communication states that the  
22 recipient should contact a legislator, or should  
23 contact an officer or employee of an executive  
24 agency.

1 “(B) The communication provides the ad-  
2 dress, phone number, and contact information  
3 of a legislator or of an officer or employee of  
4 an executive agency.

5 “(C) The communication provides a peti-  
6 tion, tear-off postcard, or similar material for  
7 the recipient to send to a legislator or to an of-  
8 ficer or employee of an executive agency.

9 “(D)(i) Subject to clause (ii), the commu-  
10 nication specifically identifies an individual  
11 who—

12 “(I) is in a position to consider or  
13 vote on the legislation;

14 “(II) represents the recipient in Con-  
15 gress; or

16 “(III) is an officer or employee of the  
17 executive agency to which the legislation or  
18 executive action relates.

19 “(ii) A communication described in clause  
20 (i) is a grassroots lobbying communication only  
21 if it is a communication that cannot meet the  
22 ‘full and fair exposition’ test as nonpartisan  
23 analysis, study, or research.”.

24 (b) SEPARATE ITEMIZATION OF GRASSROOTS EX-  
25 PENSES.—Section 5 of the Lobbying Disclosure Act of

1 1995 (2 U.S.C. 1604) is further amended in subsection  
 2 (b)—

3 (1) in paragraph (3), by inserting after “total  
 4 amount of all income” the following: “(including an  
 5 itemization of the total amount relating specifically  
 6 to grassroots lobbying communications and, within  
 7 that amount, an itemization of the total amount spe-  
 8 cifically relating to broadcast media grassroots lob-  
 9 bying communications)”; and

10 (2) in paragraph (4), by inserting after “total  
 11 expenses” the following: “(including an itemization  
 12 of the total amount relating specifically to grassroots  
 13 lobbying communications and, within that total  
 14 amount, an itemization of the total amount specifi-  
 15 cally relating to broadcast media grassroots lobbying  
 16 communications)”.

17 **SEC. 107. DISCLOSURE OF LOBBYING ACTIVITIES BY CER-**  
 18 **TAIN COALITIONS AND ASSOCIATIONS.**

19 (a) IN GENERAL.—Paragraph (2) of section 3 of the  
 20 Lobbying Disclosure Act of 1995 (2 U.S.C. 1602) is  
 21 amended to read as follows:

22 “(2) CLIENT.—

23 “(A) IN GENERAL.—The term ‘client’  
 24 means any person or entity that employs or re-  
 25 tains another person for financial or other com-

1           pensation to conduct lobbying activities on be-  
2           half of that person or entity. A person or entity  
3           whose employees act as lobbyists on its own be-  
4           half is both a client and an employer of such  
5           employees.

6           “(B) TREATMENT OF COALITIONS AND AS-  
7           SOCIATIONS.—

8           “(i) IN GENERAL.—Except as pro-  
9           vided in clauses (ii) and (iii), in the case  
10          of a coalition or association that employs  
11          or retains other persons to conduct lob-  
12          bying activities, each of the individual  
13          members of the coalition or association  
14          (and not the coalition or association) is the  
15          client. For purposes of section 4(a)(3), the  
16          preceding sentence shall not apply, and the  
17          coalition or association shall be treated as  
18          the client.

19          “(ii) EXCEPTION FOR CERTAIN TAX-  
20          EXEMPT ASSOCIATIONS.—In case of an as-  
21          sociation—

22                 “(I) which is described in para-  
23                 graph (3) of section 501(c) of the In-  
24                 ternal Revenue Code of 1986 and ex-

1           empt from tax under section 501(a) of  
2           such Code, or

3           “(II) which is described in any  
4           other paragraph of section 501(c) of  
5           the Internal Revenue Code of 1986  
6           and exempt from tax under section  
7           501(a) of such Code and which has  
8           substantial exempt activities other  
9           than lobbying with respect to the spe-  
10          cific issue for which it engaged the  
11          person filing the registration state-  
12          ment under section 4,

13         the association (and not its members) shall  
14         be treated as the client.

15                 “(iii) EXCEPTION FOR CERTAIN MEM-  
16         BERS.—

17                 “(I) IN GENERAL.—Information  
18                 on a member of a coalition or associa-  
19                 tion need not be included in any reg-  
20                 istration under section 4 if the  
21                 amount reasonably expected to be con-  
22                 tributed by such member toward the  
23                 activities of the coalition or associa-  
24                 tion of influencing legislation is less  
25                 than \$500 per any quarterly period.

1                   “(II) EXCEPTION.—Subclause (I)  
2                   shall not apply with respect to any  
3                   member who unexpectedly makes ag-  
4                   gregate contributions of more than  
5                   \$500 in any quarterly period, and the  
6                   date the aggregate of such contribu-  
7                   tions first exceeds \$500 in such period  
8                   shall be treated as the date of first  
9                   employment or retention to make a  
10                  lobbying contact for purposes of sec-  
11                  tion 4.

12                  “(iv) LOOK-THRU RULES.—In the  
13                  case of a coalition or association which is  
14                  treated as a client under the first sentence  
15                  of clause (i)—

16                       “(I) such coalition or association  
17                       shall be treated as employing or re-  
18                       taining other persons to conduct lob-  
19                       bying activities for purposes of deter-  
20                       mining whether any individual mem-  
21                       ber thereof is treated as a client under  
22                       clause (i), and

23                       “(II) information on such coali-  
24                       tion or association need not be in-  
25                       cluded in any registration under sec-

1                   tion 4 of the coalition or association  
2                   with respect to which it is treated as  
3                   a client under clause (i).”.

4       (b) EFFECTIVE DATE.—

5           (1) IN GENERAL.—The amendments made by  
6       this section shall apply to—

7           (A) coalitions and associations listed on  
8       registration statements filed under section 4 of  
9       the Lobbying Disclosure Act of 1995 (2 U.S.C.  
10      1603) after the date of the enactment of this  
11      Act, and

12          (B) coalitions and associations for whom  
13      any lobbying contact is made after the date of  
14      the enactment of this Act.

15          (2) SPECIAL RULE.—In the case of any coali-  
16      tion or association to which the amendments made  
17      by this Act apply by reason of paragraph (1)(B), the  
18      person required by such section 4 to file a registra-  
19      tion statement with respect to such coalition or asso-  
20      ciation shall file a new registration statement within  
21      30 days after the date of the enactment of this Act.

1                   **TITLE II—SLOWING THE**  
2                   **REVOLVING DOOR**

3   **SEC. 201. EXTENSION FROM 1 TO 2 YEARS OF BAN ON AT-**  
4                   **TEMPTING TO INFLUENCE BY SENIOR EXECU-**  
5                   **TIVE PERSONNEL, FORMER MEMBERS OF**  
6                   **CONGRESS, AND OFFICERS AND EMPLOYEES**  
7                   **OF THE LEGISLATIVE BRANCH.**

8           (a) SENIOR AND VERY SENIOR EXECUTIVE PER-  
9   SONNEL.—Section 207 of title 18, United States Code, is  
10   amended in each of subsections (c)(1) and (d)(1) by strik-  
11   ing “within 1 year after” and inserting “within 2 years  
12   after”.

13          (b) FORMER MEMBERS OF CONGRESS AND OFFICERS  
14   AND EMPLOYEES OF THE LEGISLATIVE BRANCH.—Sec-  
15   tion 207(e) of title 18, United States Code, is amended  
16   in each of paragraphs (1)(A), (2)(A), (3), (4)(A), and  
17   (5)(A) by striking “within 1 year” and inserting “within  
18   2 years”.

19   **SEC. 202. REFORM OF WAIVER PROCESS FOR ACTS AFFECT-**  
20                   **ING A PERSONAL FINANCIAL INTEREST.**

21          Section 208 of title 18, United States Code, is  
22   amended—

23               (1) in subsection (b)(1)—

24                       (A) by inserting after “the Government of-  
25                       ficial responsible for appointment to his or her



1 position” the following: “and the Office of Gov-  
2 ernment Ethics”; and

3 (B) by striking “a written determination  
4 made by such official” and inserting “a written  
5 determination made by the Office of Govern-  
6 ment Ethics, after consultation with such offi-  
7 cial,”;

8 (2) in subsection (b)(3), by striking “the official  
9 responsible for the employee’s appointment, after re-  
10 view of” and inserting “the Office of Government  
11 Ethics, after consultation with the official respon-  
12 sible for the employee’s appointment and after re-  
13 view of”; and

14 (3) in subsection (d)(1)—

15 (A) by striking “Upon request” and all  
16 that follows through “Ethics in Government Act  
17 of 1978.” and inserting “In each case in which  
18 the Office of Government Ethics makes a deter-  
19 mination granting an exemption under sub-  
20 section (b)(1) or (b)(3) to a person, the Office  
21 shall, not later than 3 business days after mak-  
22 ing such determination, make available to the  
23 public pursuant to the procedures set forth in  
24 section 105 of the Ethics in Government Act of  
25 1978, and publish in the Federal Register, such

1 determination and the materials submitted by  
 2 such person in requesting such exemption.”;  
 3 and

4 (B) strike “the agency may withhold” and  
 5 insert “the Office of Government Ethics may  
 6 withhold”.

7 **SEC. 203. PUBLIC DISCLOSURE BY MEMBERS OF CONGRESS**  
 8 **OF EMPLOYMENT NEGOTIATIONS.**

9 (a) HOUSE OF REPRESENTATIVES.—The Code of Of-  
 10 ficial Conduct set forth in rule XXIII of the Rules of the  
 11 House of Representatives is amended by redesignating  
 12 clause 14 as clause 15 and by inserting after clause 13  
 13 the following new clause:

14 “14. A Member, Delegate, or Resident Commis-  
 15 sioner shall publicly disclose the fact that he or she  
 16 is negotiating or has any arrangement concerning  
 17 prospective employment if a conflict of interest or  
 18 the appearance of a conflict of interest may exist.  
 19 Such disclosure shall be made within 3 days after  
 20 the commencement of such negotiation or arrange-  
 21 ment.”.

22 (b) SENATE.—[Text to be supplied by the Senate].

1 **SEC. 204. WRONGFULLY INFLUENCING, ON A PARTISAN**  
2 **BASIS, AN ENTITY'S EMPLOYMENT DECISIONS**  
3 **OR PRACTICES.**

4 Whoever, being a Senator or Representative in, or a  
5 Delegate or Resident Commissioner to, the Congress or  
6 an employee of either House of Congress, with the intent  
7 to influence on the basis of political party affiliation an  
8 employment decision or employment practice of any pri-  
9 vate or public entity (except for the Congress), directly  
10 or indirectly (including through an agent such as an agent  
11 of a national committee of a political party)—

12 (1) takes or withholds, or offers or threatens to  
13 take or withhold, an official act; or

14 (2) influences, or offers or threatens to influ-  
15 ence, the official act of another;

16 shall be fined under title 18, United States Code, or im-  
17 prisoned for not more than 15 years, or both, and may  
18 be disqualified from holding any office of honor, trust, or  
19 profit under the United States.

20 **SEC. 205. AMENDMENT TO CODE OF OFFICIAL CONDUCT TO**  
21 **PROHIBIT FAVORITISM.**

22 (a) HOUSE OF REPRESENTATIVES.—Rule XXIII of  
23 the Rules of the House of Representatives (known as the  
24 Code of Official Conduct) is amended by redesignating  
25 clause 14 as clause 15 and by inserting after clause 13  
26 the following new clause:

1       “14. A Member, Delegate, Resident Commissioner,  
 2 officer, or employee of the House may not take or with-  
 3 hold, or threaten to take or withhold, any official action  
 4 on the basis of partisan affiliation (except as permitted  
 5 by clause 9) or the campaign contributions or support of  
 6 any person or the prospect of personal gain either for one-  
 7 self or any other person.”.

8       (b) SENATE.—[Text to be supplied by the Senate.]

9       **TITLE III—CURBING EXCESSES**  
 10      **IN PRIVATELY FUNDED TRAVEL**

11      **SEC. 301. REQUIRED CERTIFICATION THAT CONGRES-**  
 12                      **SIONAL TRAVEL MEETS CERTAIN CONDI-**  
 13                      **TIONS.**

14       (a) HOUSE OF REPRESENTATIVES.—Clause 5 of rule  
 15 XXV of the Rules of the House of Representatives is  
 16 amended by redesignating paragraphs (e) and (f) as para-  
 17 graphs (f) and (g), respectively, and by inserting after  
 18 paragraph (d) the following new paragraph:

19       “(e)(1) Except as provided by subparagraph (2), be-  
 20 fore a Member, Delegate, Resident Commissioner, officer,  
 21 or employee of the House may accept a gift of transpor-  
 22 tation or lodging otherwise permissible under this clause  
 23 from any person, such Member, Delegate, Resident Com-  
 24 missioner, officer, or employee of the House, as applicable,

1 shall obtain a written certification from such person (and  
2 provide a copy of such certification to the Clerk) that—

3 “(A) the trip was not planned, organized, ar-  
4 ranged, or financed by a registered lobbyist or for-  
5 eign agent and was not organized at the request of  
6 a registered lobbyist or foreign agent; and

7 “(B) the person did not accept, from any  
8 source, funds specifically earmarked for the purpose  
9 of financing the travel expenses.

10 The Clerk shall make public information received under  
11 this subparagraph as soon as possible after it is received.

12 “(2) A Member, Delegate, or Resident Commissioner  
13 is not required to obtain a written certification for a gift  
14 or transportation or lodging described in subdivision (A),  
15 (B), (C), (D), (F), or (G) of paragraph (a)(1).”.

16 (b) SENATE.—[Text to be supplied by the Senate].

17 **SEC. 302. FALSE CERTIFICATION IN CONNECTION WITH**  
18 **CONGRESSIONAL TRAVEL.**

19 (a) IN GENERAL.—Whoever makes a false certifi-  
20 cation in connection with the travel of a Member, officer,  
21 or employee of either House of Congress (within the mean-  
22 ing given those terms in section 207 of title 18, United  
23 States Code) shall, upon proof of such offense by a pre-  
24 ponderance of the evidence, be subject to a civil fine de-  
25 pending on the extent and gravity of the violation.

1 (b) MAXIMUM FINE.—The maximum fine per offense  
 2 under this section depends on the number of separate trips  
 3 in connection with which the person committed an offense  
 4 under this section, as follows:

5 (1) FIRST TRIP.—For each offense committed  
 6 in connection with the first such trip, the amount of  
 7 the fine shall be not more than \$100,000 per of-  
 8 fense.

9 (2) SECOND TRIP.—For each offense committed  
 10 in connection with the second such trip, the amount  
 11 of the fine shall be not more than \$300,000 per of-  
 12 fense.

13 (3) ANY OTHER TRIPS.—For each offense com-  
 14 mitted in connection with any such trip after the  
 15 second, the amount of the fine shall be not more  
 16 than \$500,000 per offense.

17 **SEC. 303. INCREASED DISCLOSURE OF TRAVEL BY MEM-**  
 18 **BERS.**

19 (a) HOUSE OF REPRESENTATIVES.—Clause  
 20 5(b)(1)(A)(ii) of rule XXV of the Rules of the House of  
 21 Representatives is amended by—

22 (1) inserting “a detailed description of each of”  
 23 before “the expenses”; and

1           (2) inserting “, including a description of all  
2       meetings, tours, events, and outings during such  
3       travel” before the period at the end thereof.

4       (b) SENATE.—[Text to be supplied by the Senate.]

5   **SEC. 304. GUIDELINES RESPECTING TRAVEL EXPENSES.**

6       (a) HOUSE OF REPRESENTATIVES.—Clause 5(f) of  
7       rule XXV of the Rules of the House of Representatives  
8       is amended by inserting “(1)” after “(f)” and by adding  
9       at the end the following new subparagraph:

10       “(2) Within 90 days after the date of adoption of this  
11       subparagraph and at annual intervals thereafter, the Com-  
12       mittee on Standards of official Conduct shall develop and  
13       revise, as necessary, guidelines on what constitutes ‘rea-  
14       sonable expenses’ or ‘reasonable expenditures’ for pur-  
15       poses of paragraph (b)(4). In developing and revising the  
16       guidelines, the committee shall take into account the max-  
17       imum per diem rates for official Government travel pub-  
18       lished annually by the General Services Administration,  
19       the Department of State, and the Department of De-  
20       fense.”.

21       (b) SENATE.—[Text to be supplied by the Senate.]

1 **TITLE IV—STRENGTHENING EN-**  
 2 **FORCEMENT AND OVERSIGHT**  
 3 **OF ETHICS AND LOBBYING**

4 **SEC. 401. COMPTROLLER GENERAL REVIEW AND SEMI-**  
 5 **ANNUAL REPORT ON ACTIVITIES CARRIED**  
 6 **OUT BY CLERK OF THE HOUSE AND SEC-**  
 7 **RETARY OF THE SENATE UNDER LOBBYING**  
 8 **DISCLOSURE ACT OF 1995.**

9 (a) ONGOING REVIEW REQUIRED.—The Comptroller  
 10 General shall review on an ongoing basis the activities car-  
 11 ried out by the Clerk of the House of Representatives and  
 12 the Secretary of the Senate under section 6 of the Lob-  
 13 bying Disclosure Act of 1995 (2 U.S.C. 1605). The review  
 14 shall emphasize—

15 (1) the effectiveness of those activities in secur-  
 16 ing the compliance by lobbyists with the require-  
 17 ments of that Act; and

18 (2) whether the Clerk and the Secretary have  
 19 the resources and authorities needed for effective  
 20 oversight and enforcement of that Act.

21 (b) SEMIANNUAL REPORTS.—Twice yearly, not later  
 22 than January 1 and not later than July 1 of each year,  
 23 the Comptroller General shall submit to Congress a report  
 24 on the review required by subsection (a). The report shall  
 25 include the Comptroller General's assessment of the mat-



1 ters required to be emphasized by that subsection and any  
 2 recommendations of the Comptroller General to—

3 (1) improve the compliance by lobbyists with  
 4 the requirements of that Act; and

5 (2) provide the Clerk and the Secretary with  
 6 the resources and authorities needed for effective  
 7 oversight and enforcement of that Act.

8 **SEC. 402. INCREASED PENALTY FOR FAILURE TO COMPLY**  
 9 **WITH LOBBYING DISCLOSURE REQUIRE-**  
 10 **MENTS.**

11 Section 7 of the Lobbying Disclosure Act of 1995 (2  
 12 U.S.C. 1606) is amended by striking “\$50,000” and in-  
 13 serting “\$100,000”.

14 **SEC. 403. HEARINGS, RECOMMENDATIONS, AND REPORT**  
 15 **REGARDING ACTIVITIES OF LOBBYISTS.**

16 The Committee on House Administration and the  
 17 Committee on the Judiciary are each authorized and di-  
 18 rected to conduct hearings on each semiannual report sub-  
 19 mitted by the Comptroller General pursuant to section  
 20 401(b) and to report, as soon as practicable, the results  
 21 of such hearings and any legislative recommendations to  
 22 address the issues raised by such semiannual report.

23 **SEC. 404. ETHICS TASK FORCE.**

24 (a) APPOINTMENT OF ETHICS TASK FORCE.—Within  
 25 30 days after the date of enactment of this Act, the Speak-

1 er and the minority leader shall each appoint 5 Members  
2 to a bipartisan ethics task force with equal representation  
3 of the majority and minority parties to make recommenda-  
4 tions—

5 (1) on strengthening ethics oversight and en-  
6 forcement in the House of Representatives; and

7 (2) on providing the resources necessary to ac-  
8 complish this goal.

9 (b) CONSULTATION AND FINAL REPORT.—The ethics  
10 task force shall consult outside experts in its work and  
11 report its findings and recommendations to the House of  
12 Representatives not later than 60 days after it is estab-  
13 lished.

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